

UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

United States of America

v.

Kevin Franklin

Case: 2:21-mj-30174

Assigned To : Unassigned

Assign. Date : 4/14/2021

CMP: SEALED MATTER (MAW)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of March 14, 2021 in the county of Washtenaw in the
Eastern District of Michigan, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. § 922(g)(1)	Felon in posession of a firearm

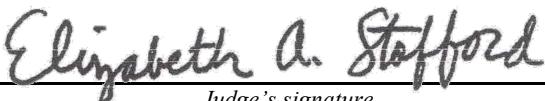
This criminal complaint is based on these facts:

Continued on the attached sheet.



Complainant's signature

Special Agent Michael S. Parsons, A.T.F.
Printed name and title



Judge's signature

Hon. Elizabeth A. Stafford, U.S. Magistrate Judge
Printed name and title

Sworn to before me and signed in my presence
and/or by reliable electronic means.

Date: April 14, 2021

City and state: Detroit, Michigan

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Michael S. Parsons, being duly sworn, do hereby state the following:

I. INTRODUCTION

1. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). I have been a Special Agent since September of 2000. I have been involved in numerous investigations regarding firearms, firearms licensing, and narcotic laws resulting in successful federal prosecutions.

2. The statements contained in this affidavit are based on my personal knowledge, my review of written police reports by Eastern Michigan University Police Officers, and information provided to me by and/or through other law enforcement agents, investigators, and individuals with knowledge of this matter. This affidavit does not provide every detail known to law enforcement about this investigation.

3. This affidavit provides information necessary to establish probable cause that Kevin FRANKLIN (XX/XX/1977) has violated Title 18, United States Code, Section 922(g)(1) – felon in possession of a firearm.

II. PROBABLE CAUSE

4. On March 14, 2021, Eastern Michigan University (EMU) Police Officers (PO) Spokas and Kean were on patrol going eastbound on Forest Avenue when they witnessed a black Chevy Malibu disregarding a red light to turn left onto Northbound N. Huron Street. When EMU officers activated their overhead emergency lights to conduct a traffic stop, the Malibu quickly turned left onto Jarvis Street. As the officers approached Jarvis Street, they observed a black male in a blue jacket, later identified as Kevin FRANKLIN, walking away from the parked vehicle.

5. Both officers exited the patrol vehicle and shouted “Stop, police”. FRANKLIN then started running eastbound on Jarvis Street crossing N Huron Street. FRANKLIN ran to the North Huron Street Storage lot and jumped the fence. PO Spokas notified other patrol units that the suspect was in a blue jacket and located within the storage facility.

6. PO Siecinski responding to PO Spokas’ notification of a fleeing suspect arrived at the storage facility and eventually place FRANKLIN into police custody. PO Siecinski and PO Milton then

retraced FRANKLIN's steps when he fled from PO Spokas and PO Kean and located a magazine that went to a Glock 40 caliber pistol loaded with six rounds of Winchester ammunition and a Glock 40 caliber pistol without a magazine, with one round of 40 caliber Winchester ammunition in the chamber.

7. EMU Detective (Det.) Mosher made contact with an employee of N. Huron Storage who provided Det. Mosher with video of the previous night. The video shows FRANKLIN's vehicle traveling northbound followed by a police vehicle with its emergency overhead lights activated. The video showed FRANKLIN jumping over the front gate with PO Spokas and PO Kean closely behind. The video then showed a magazine land on the ground on the west side of the fence. The video also showed FRANKLIN wearing a blue coat running southeast through the facility yard and around a corner to the area where the firearm was later recovered.

8. A criminal history check was conducted on FRANKLIN, which revealed that he has been convicted of the following felonies:

- a. 1995 – Larceny from a Person.
- b. 2000 – Controlled Substance DEL/MFG.
- c. 2000 – Habitual Offender – Second Offense.
- d. 2000 – Controlled Substance Less than 25 Grams.

- e. 2000 – Habitual Offender – Second Offense.
- f. 2005 – Controlled Substance DEL/MFG.
- g. 2005 – Police Officer Fleeing.
- h. 2005 – Controlled Substance DEL/MFG.
- i. 2005 – Habitual Offender Fourth Offense.
- j. 2012 – Assault with Intent to Do Great Bodily Harm Less than Murder.
- k. 2012 – Weapons.

9. FRANKLIN's felony convictions in each of the above cases were obtained by guilty plea or plea of nolo contendere. I am aware that the Michigan Court Rules require a court to directly advise a defendant of the maximum possible penalty before accepting a guilty plea or plea of nolo contendere. Therefore, probable cause exists that FRANKLIN knew, at the time he possessed the firearm, he had previously been convicted of a crime punishable by imprisonment for a term exceeding one year.

10. Affiant is an expert in the Interstate Nexus of Firearms. The Glock Model 23 Gen 4, 40 caliber pistol, recovered from FRANKLIN, was manufactured outside the State of Michigan, thereby travelling in interstate commerce.

III. CONCLUSION

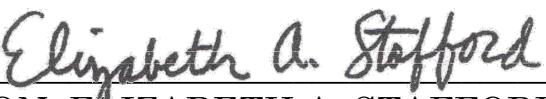
11. Probable cause exists that Kevin FRANKLIN, a convicted felon, was in possession of the above described firearm in the city of

Ypsilanti in the Eastern District of Michigan, said firearm having travelled in interstate commerce, in violation of Title 18 U.S.C. § 922(g)(1).



Michael S. Parsons
Special Agent, ATF

Sworn and subscribed to before me in my presence and/or by reliable electronic means.



HON. ELIZABETH A. STAFFORD
UNITED STATES MAGISTRATE JUDGE